

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

<b>In re:</b>	§	
	§	
<b>JOSE TREVINO, SR. and TERESA</b>	§	<b>Case No. 10-70594</b>
<b>TREVINO,</b>	§	<b>Chapter 13</b>
	§	
<b>Debtors,</b>	§	
	§	
<b>JOSE TREVINO and TERESA</b>	§	
<b>TREVINO,</b>	§	
	§	
<b>Plaintiffs,</b>	§	
	§	
<b>v.</b>	§	<b>Adversary No. 13-07031</b>
	§	
<b>HSBC MORTGAGE SERVICES, INC.;</b>	§	
<b>U.S. BANK TRUST, N.A. as Trustee for</b>	§	
<b>LSF8 MASTER PARTICIPATION</b>	§	
<b>TRUST; and CALIBER HOME LOANS,</b>	§	
<b>INC.,</b>	§	
	§	
<b>Defendants.</b>	§	

**DEFENDANTS U.S. BANK TRUST, N.A. AND CALIBER HOME  
LOANS, INC.'S WITNESS AND EXHIBIT LIST FOR TRIAL**

Main Case No.: 10-70594	Name of Debtors: Jose Trevino and Teresa Trevino
Adversary No. 13-07031	Style of Adversary: <i>Jose and Teresa Trevino v. HSBC Mortgage Services, Inc., U.S. Bank Trust, N.A., and Caliber Home Loans, Inc.</i>
Fact Witnesses:	Judge: Honorable Eduardo V. Rodriguez
Eric Smith	Courtroom Deputy: Lynette Slayton
Jamar Harris	Trial Date: TBD
Karen Kellett	Time: TBD
Jose Trevino	Party Names: U.S. Bank Trust, N.A. and
Teresa Trevino	Caliber Home Loans, Inc.
	Attorney Name: Melissa S. Hayward
Defendants reserve the right to call any witness	Attorneys' Phone: (972) 755-7104

for rebuttal and to call any witnesses listed by Plaintiffs on Plaintiffs' Witness and Exhibit Lists or any person present in the Courtroom during the hearing.

Defendants reserve the right to designate additional witnesses that might be identified through discovery.

### **EXHIBITS**

Ex. #	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
D-1	Bankruptcy Case No. 10-70594 Docket				
D-2	Bankruptcy Case No. 10-70594 Claims Register				
D-3	Docket of Adversary Proceeding No. 13-07031 ( <i>Trevino v. HSBC Mortgage Services, Inc. et al.</i> )				
D-4	Docket of Adversary Proceeding No. 16-07024 ( <i>Trevino v. SPS Portfolio Servicing Inc. et al.</i> )				
D-5	Loan History				
D-6	Servicing Notes				
D-7	Note				
D-8	Deed of Trust				
D-9	Petition, Schedules, SOFA				
D-10	Chapter 13 Plan				
D-11	Order Confirming Chapter 13 Plan				
D-12	Notice of Intent to Pay Claims				
D-13	Amended Notice of Intent to Pay Claims				
D-14	Notice of Post-Petition Mortgage Fee, Expenses, and Charges				
D-15	Trustee's Motion to Dismiss				
D-16	Debtor's Response to the Trustee's Motion to Dismiss				
D-17	Transfer of Claim Other than for Security				
D-18	Second Motion to Modify Confirmed Plan and Notice of Hearing and Time to Object				
D-19	Motion to Allow a Late Filed Claim for the City of Edinburg				
D-20	3002.1 Notice-USBT				
D-21	Withdrawal of 3002.1 Notice-USBT				

D-22	Transfer of Claim Other than for Security and Notice Thereof				
D-23	Motion for Discharge				
D-24	Order Approving Settlement				
D-25	Order of Discharge				
D-26	Motion to Determine Disposition of Funds				
D-27	Second Amended 3002.1 Notice-SPS				
D-28	Chapter 13 Standing Trustee's Final Report and Account				
D-29	Final Decree				
D-30	Plaintiffs' Original Complaint				
D-31	Motion to Dismiss Adversary Proceeding				
D-32	Transcript from April 21, 2014 Hearing				
D-33	Reply Brief in Support of Motion to Dismiss Adversary Proceeding with Prejudice				
D-34	First Amended Complaint				
D-35	Plaintiffs' Motion for Leave to File Second Amended Complaint				
D-36	Transcript of August 26, 2014 Hearing				
D-37	Transcript of February 27, 2015 Hearing				
D-38	Plaintiffs' Second Amended Complaint				
D-39	Amended Motion to Dismiss Second Amended Complaint				
D-40	Amended Memorandum Opinion				
D-41	Defendants' Answer to Plaintiffs' Second Amended Complaint				
D-42	HSBC Proof of Claim 21				
D-43	Kellett & Bartholow PC and Stone Curtis PLLC invoices				
D-44	Fee Summary				
D-45	Hidalgo County Tax Payment History-April 2014				
D-46	Hidalgo Tax Payment History-October 2018				
D-47	Hidalgo County Tax Records - September 2016				
D-48	Plaintiff's Third Supplemental Disclosures				
D-49	Video and/or Transcript of Jose Trevino Deposition				
D-50	Video and/or Transcript of Teresa Trevino Deposition				

D-51	Fee Agreement between counsel and the Trevinos				
D-52	Email & Letter Tendering Offer of Judgment				
D-53	Email from M. Hayward to K. Kellett dated August 5, 2014				
D-54	Email Exchange between M. Hayward and B. Bruner regarding Amendment to 3002.1 Notice				
D-55	Plaintiffs' Original Complaint against SPS				
D-56	Check reference screen shot				
D-57	Check				
D-58	Servicing Transfer Letter				
	Any document entered or filed in the above-styled bankruptcy case.				
	Any document entered or filed in Adversary No. 13-07031 ( <i>Trevino v. HSBC Mortgage Services, Inc. et al.</i> )				
	Any document entered or filed in Adversary No. 16-07024 ( <i>Trevino v. SPS Portfolio Servicing Inc. et al.</i> )				
	All exhibits necessary for impeachment and/or rebuttal purposes.				
	All exhibits identified by or offered by any other party at the hearing.				

DATED: March 8, 2019

Respectfully submitted,

/s/ Melissa S. Hayward

Melissa S. Hayward

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**COUNSEL FOR DEFENDANTS U.S. BANK TRUST,  
N.A., AND CALIBER HOME LOANS, INC.**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on March 8, 2019, true and correct copies of the Witness and Exhibit List were served upon those parties registered to receive electronic notice via the Court's CM/ECF system.

*/s/ Melissa S. Hayward*\_\_\_\_\_

Melissa S. Hayward